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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
|------------------------------------|-----------------------|----------------------|-------------------------|------------------------|--|
| 09/924,876 | 08/08/2001 | Charles E. Bucher | PC-883DIV | 3324 | |
| 23717 | 7590 07/29/20 | 03 | | | |
| LAW OFFICES OF BRIAN S STEINBERGER | | | EXAMI | EXAMINER | |
| 101 BREVA COCOA, FI | ARD AVENUE 2 32922 | | VERDIER, CHR | VERDIER, CHRISTOPHER M | |
| | | | ART UNIT | PAPER NUMBER | |
| | | | 3745 | a | |
| | | | DATE MAILED: 07/29/2003 | (| |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | Application No. | Applicant(s) | | | |
|---|--|------------------------------------|--|--|--|--|
| | | 09/924,876 | BUCHER ET AL. | | | |
| Office | Action Summary | Examiner | Art Unit | | | |
| | | Christopher Verdier | 3745 | | | |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply | | | | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status | | | | | | |
| 1)⊠ Responsiv | ve to communication(s) filed on <u>02</u> | 2 June 2003 . | | | | |
| 2a)⊠ This action | n is FINAL . 2b)□ 1 | This action is non-final. | | | | |
| 3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims | | | | | | |
| · | -7 and 20-31 is/are pending in the | e application. | | | | |
| | bove claim(s) is/are withdr | • • | | | | |
| | is/are allowed. | | | | | |
| 6)⊠ Claim(s) <u>1-7 and 20-31</u> is/are rejected. | | | | | | |
| | 7) Claim(s) is/are objected to. | | | | | |
| 8) Claim(s) are subject to restriction and/or election requirement. Application Papers | | | | | | |
| 9)⊠ The specific | ation is objected to by the Examir | ner. | | | | |
| 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. | | | | | | |
| Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). | | | | | | |
| 11)⊠ The proposed drawing correction filed on <u>8-8-01, 6-2-03</u> is: a)⊠ approved b)☐ disapproved by the Examiner. | | | | | | |
| If approved, corrected drawings are required in reply to this Office action. | | | | | | |
| 12)⊠ The oath or declaration is objected to by the Examiner. | | | | | | |
| Priority under 35 U.S.C. §§ 119 and 120 | | | | | | |
| 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). | | | | | | |
| a) ☐ All b) ☐ Some * c) ☐ None of: | | | | | | |
| 1.☐ Certi | fied copies of the priority docume | nts have been received. | | | | |
| 2.☐ Certi | fied copies of the priority docume | nts have been received in Applicat | ion No | | | |
| 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. | | | | | | |
| 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). | | | | | | |
| a) ☐ The translation of the foreign language provisional application has been received. 15)☑ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. | | | | | | |
| Attachment(s) | | | | | | |
| | s Cited (PTO-892) on's Patent Drawing Review (PTO-948) tre Statement(s) (PTO-1449) Paper No(s) | 5) Notice of Informal | y (PTO-413) Paper No(s) Patent Application (PTO-152) | | | |

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Applicants' Amendment dated June 2, 2003 has been carefully considered but is deemed non-persuasive. Claims 1-7 and 20-31 are pending (the claims have been renumbered by the examiner as set forth later below). The proposed drawing changes dated June 2, 2003 have been approved by the examiner. The specification has been amended to correct most of the informalities set forth in the previous Office action. The claims have been amended to overcome the rejections under 35 USC 112, second paragraph set forth in the first Office action.

Correction of the above matters is noted with appreciation.

Applicants have amended the specification to state that the instant application is a continuation-in-part of U.S. Patent 5,980,353, which is a continuation-in-part of U.S. Patent 5,954,449, which is a continuation-in-part of U.S. Patent 5,951,197, to claim priority thereof, and have argued that these references are commonly owned with the same assignee of the instant application, and are now disqualified as prior art. These arguments are not persuasive. MPEP 201.08 states three conditions that must be met in order for an alleged continuation-in-part application to claim the benefit of the filing date of an earlier nonprovisional application. The first of these requirements is that the first application and the alleged continuation-in-part application were filed with at least one common inventor. The inventor of U.S. Patent 5,980,353, of U.S. Patent 5,954,449, and of U.S. Patent 5,951,197 is San-Chi Wu, and there is no common inventor with the instant application. The second of these requirements is that the alleged continuation-in-part was filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the first application. The effective filing date of the claimed subject matter of the instant application is

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September 24, 1999, and both U.S. Patents 5,954,449, and 5,951,197 have patent dates earlier than September 24, 1999. Therefore, Applicants' arguments that the pending claims define over Blateri '276, Wu '353, Wu '197, Liao '388, and Wu '449 because these references are disqualified as prior art, are not persuasive. In addition, amending the specification to claim such priority when the above three conditions are not met introduces new matter into the specification

Applicants have argued that the pending claims define over Tai '531 in that the pending claims recite the blade mounting arm being moved away from rotating member, while Tai '531 discloses that the blades are attached by moving the blades into the motor housing. This argument is persuasive. Additionally, the pending claims define over Wu 5,980,353, Liao 6,149,388, and Blateri 6,155,786, because the pending claims recite that the blade mounting arm is moved away from rotating member during assembly.

Oath/Declaration

The new oath or declaration dated June 5, 2003 is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It improperly attempts to claim benefit under 35 USC 120 of the following applications/patents: 09/193,427, 09/193,429, and 09/204,115, which matured into respective patents 5,954,449; 5,951,197; and 5,980,353. Applicants are not entitled to priority for the reasons set forth above.

This application presents a claim for subject matter not originally claimed or embraced in the statement of the invention, mainly the method of attaching detachable blade arms to ceiling fan motors. A supplemental oath or declaration is required under 37 CFR 1.67. The new oath or declaration must properly identify the application of which it is to form a part, preferably by application number and filing date in the body of the oath or declaration. See MPEP §§ 602.01 and 602.02.

Specification

The amendment filed June 2, 2003 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

The added material to page 1, lines 1-5 that states that the instant application is a continuation-in-part of U.S. Application No. 09/204,115, now U.S. Patent 5,980,353, which is a continuation-in-part of U.S. Application No. 09/193,427, now U.S. Patent 5,954,449, which is a continuation-in-part of U.S. Application No. 09/193,429, now U.S. Patent 5,951,197.

These additions are new matter for the reasons set forth above, namely that the above mentioned conditions are not met in order for an alleged continuation-in-part application to claim

the benefit of the filing date of an earlier nonprovisional application. Applicant is required to cancel the new matter in the reply to this Office Action.

The disclosure is objected to because of the following informality: Appropriate correction is required.

On page 1, line 1, the fact that application 09/405,676 matured into U.S. Patent 6,352,411 should be included.

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 23-30 have been renumbered as claims 24-31 (note that Applicants have provided two claims numbered as claim "23").

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-2, 4, 7, 20-24, and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Blateri 6,139,276. The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 22 for a ceiling fan comprising a ceiling fan motor in housing 12 with a rotating member 16/18, with the blade mounting arm 26 having a connecting end 28 connected to the rotating member 16/18, and slide and lock means 30/18b/44a/44b for attaching the connecting end of the mounting arm to the rotating member, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 30 and a slot 18b. The protruding member is located on the end of the mounting arm and the slot is located on the rotating member 16/18. Note spring means 48 for locking the end of the mounting arm to the rotating member. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, because it fails to meet the third prong of the analysis set forth in MPEP 2181, in that the phrase "slide and lock means" is sufficient structure that modifies the specified function. The recitation in claim 7, line 2 of "spring means for locking the second end of the mounting arm to the rotating member" invokes 35 USC 112, sixth paragraph. The spring means 48 disclosed by Blateri '276 performs the identical function of locking the end of the mounting arm to the rotating member, no explicit definition in Applicants' specification excludes the spring means 48 of Blateri '276 as an equivalent, and the spring means 48 of Blateri '276 performs the same function in substantially the same way and produces the same result. Therefore, the spring means 48 of Blateri '276 is considered to be an equivalent to Applicants' disclosed spring means

140. Concerning claims 20-24, Blateri discloses a method of attaching detachable blade arm 22 to the ceiling fan motor, comprising positioning an end of a blade arm 22 about fastening means 18/48/44a/44b on the ceiling fan motor housing 12, sliding the blade arm away from the ceiling fan motor, and locking the blade arm to the ceiling fan motor, with the positioning step including positioning protruding means 30 into slot 18b, and with the step of sliding including sliding the protruding means, with the step of locking including locking the blade arm to the ceiling fan motor by centrifugal force, with the step of positioning including the step of positioning an end of the blade underneath the ceiling fan motor housing (see column 3, lines 13-30). Concerning claims 28-29, Blateri discloses means 30/18b/44a/44b/48 for fastening the inner end of a blade arm 22 to the rotatable portion 16/18 of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 30 in a slot 18b. The recitation in claim 28, lines 5-6 of "means for fastening the inner end of the fan blade arm to the rotatable portion of the fan housing by pulling the blade arm away from the motor housing" and the recitation in claim 29, lines 1-2 of the fastening means including protruding means in a slot invokes 35 USC 112, sixth paragraph. The means 30/18b/44a/44b/48 for fastening the inner end of a blade arm 22 to the rotatable portion 16/18 of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 30 in a slot 18b, disclosed by Blateri '276 performs the Applicants' same function of locking the end of the mounting arm to the rotating member and produces substantially the same result disclosed by Applicants, no explicit definition in Applicants' specification excludes the means 30/18b/44a/44b/48 of Blateri '276 as an equivalent, and the means 30/18b/44a/44b/48 of Blateri '276 performs the same function in substantially the same way and produces the same result.

Therefore, the means 30/18b/44a/44b/48 of Blateri '276 is considered to be an equivalent to Applicants' disclosed means 26, 28, 120, 130.

Claims 1-3, 5-7, and 20-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu 5,951,197 (figures 7-9). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 40 for a ceiling fan comprising a ceiling fan motor 30 with rotating member 30a, with the blade mounting arm 40 having a connecting end 41 connected to the rotating member 30a, and slide and lock means 34/44/35/45 for attaching the connecting end of the mounting arm to the rotating member 30a, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 35 and a slot 45, which is a keyhole shape. The protruding member 35 is located on the rotating member 30a and the slot 45 is located on the end of the mounting arm. Note deformable means 35 located between the end of the mounting arm and the rotating member. Note spring means 42 for locking the second end of the mounting arm to the rotating member 30a. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above. The recitation in claim 6, lines 2-3 of "a deformable means between the second end of the mounting arm and the rotating member for vibration isolation and enhanced fit" invokes 35 USC 112, sixth paragraph. The deformable means 35 disclosed by Wu '197 located between the end of the mounting arm and rotating member is identical to Applicants' disclosed deformable means 130. The recitation in claim 7, line 2 of "spring means for locking the second end of the mounting arm to the rotating

member" invokes 35 USC 112, sixth paragraph. The spring means 42 disclosed by Wu '197 performs the identical function of locking the end of the mounting arm to the rotating member. no explicit definition in Applicants' specification excludes the spring means 42 of Wu '197 as an equivalent, and the spring means 42 of Wu '197 performs the same function in substantially the same way and produces the same result. Therefore, the spring means 42 of Wu '197 is considered to be an equivalent to Applicants' disclosed spring means 140. Concerning claims 20-27. Wu discloses a method of attaching detachable blade arm 40 to the ceiling fan motor 30, comprising positioning an end of a blade arm 40 about fastening means 34, 353 on the ceiling fan motor housing, sliding the blade arm away from the ceiling fan motor, and locking the blade arm to the ceiling fan motor, with the positioning step including positioning protruding means 35 into slot 45, and with the step of sliding including sliding the protruding means, with the step of locking including locking the blade arm to the ceiling fan motor by centrifugal force (the centrifugal force generated by rotation of the ceiling fan motor will bias the blade arms 40 radially outwardly, thereby inherently additionally locking the blade arm by centrifugal force), with the step of positioning including the step of positioning an end of the blade underneath the ceiling fan motor housing (see column 4, lines 8-17). Element 35 is considered to be an enlarged headed fastener. Note key hole slots 45. The element 35 provides vibration isolation between the arm and the ceiling fan motor. Concerning claims 28-31, Wu discloses means 35/353/45 for fastening the inner end of a blade arm 40 to the rotatable portion 30a of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 35 in a slot 45. The recitation in claim 28, lines 5-6 of "means for fastening the inner end of the fan blade arm to the rotatable portion of the fan housing by pulling the blade arm

away from the motor housing" and the recitation in claim 29, lines 1-2 of the fastening means including protruding means in a slot invokes 35 USC 112, sixth paragraph. The means 35/353/45 for fastening the inner end of a blade arm 40 to the rotatable portion 30a of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 35 in a slot 45, disclosed by Wu performs the Applicants' same function of locking the end of the mounting arm to the rotating member and produces substantially the same result disclosed by Applicants, no explicit definition in Applicants' specification excludes the means 35/353/45 of Wu as an equivalent, and the means 33/353/45 of Wu performs the same function in substantially the same way and produces the same result. Therefore, the means 35/353/45 of Wu is considered to be an equivalent to Applicants' disclosed means 26, 28, 120, 130. The protruding means 35 is broadly in the form of an enlarged head fastener. Slot 45 is key hole shaped.

Claims 1-2, 4-5, 20-24, and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu 5,951,197 (figures 4-6). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 40 for a ceiling fan comprising a ceiling fan motor 30 with rotating member 30a, with the blade mounting arm 40 having a connecting end 41 connected to the rotating member 30a, and slide and lock means 411/321/42 for attaching the connecting end of the mounting arm to the rotating member 30a, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 411 and a slot 321. The protruding member 411 is located on the end of the mounting arm and the slot 321 is located

on the rotating member 30a. Alternatively, the slide and lock means includes a protruding member (unnumbered, but the upper flange of groove 321) and a slot near 41. The protruding member is located on the rotating member 30a and the slot (near 41) is located on the mounting arm. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above. Concerning claims 20-24, Wu discloses a method of attaching detachable blade arm 40 to the ceiling fan motor 30, comprising positioning an end of a blade arm 40 about fastening means 32/321 on the ceiling fan motor housing 30, sliding the blade arm away from the ceiling fan motor, and locking the blade arm to the ceiling fan motor, with the positioning step including positioning protruding means 411 into slot 321, and with the step of sliding including sliding the protruding means, with the step of locking including locking the blade arm to the ceiling fan motor by centrifugal force (the centrifugal force generated by rotation of the ceiling fan motor will bias the blade arms 40 radially outwardly, thereby inherently additionally locking the blade arm by centrifugal force), with the step of positioning including the step of positioning an end of the blade underneath the ceiling fan motor housing (see column 2, lines 54-67 and column 3, lines 1-15). Concerning claims 28-29, Wu discloses means 321/411 for fastening the inner end of a blade arm 40 to the rotatable portion 30a of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 411 in a slot 321. The recitation in claim 28, lines 5-6 of "means for fastening the inner end of the fan blade arm to the rotatable portion of the fan housing by pulling the blade arm away from the motor housing" and the recitation in claim 29, lines 1-2 of the fastening means including protruding means in a slot invokes 35 USC 112, sixth paragraph. The means 321/411 for

fastening the inner end of a blade arm 40 to the rotatable portion 30a of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 321 in a slot 411, disclosed by Wu performs the Applicants' same function of locking the end of the mounting arm to the rotating member and produces substantially the same result disclosed by Applicants, no explicit definition in Applicants' specification excludes the means 321/411 of Wu as an equivalent, and the means 321/411 of Wu performs the same function in substantially the same way and produces the same result. Therefore, the means 321/411 of Wu is considered to be an equivalent to Applicants' disclosed means 26, 28, 120, 130.

Claims 1-2, 5-7, 20-25, and 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu 5,954,449 (figures 4-6). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 40 for a ceiling fan comprising a ceiling fan motor 20 with rotating member 22, with the blade mounting arm 40 having a connecting end 41 connected to the rotating member 22, and slide and lock means 43/30 for attaching the connecting end of the mounting arm to the rotating member 22, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 30 and a slot 43. The protruding member 30 is located on the rotating member 22 and the slot 43 is located on the end of the mounting arm. Note deformable means 30 located between the end of the mounting arm and the rotating member. Note spring means 50/70 for locking the second end of the mounting arm to the rotating member 22. The recitation in claim 1, lines 4-5 of "slide and lock means for

attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above. The recitation in claim 6, lines 2-3 of "a deformable means between the second end of the mounting arm and the rotating member for vibration isolation and enhanced fit" invokes 35 USC 112, sixth paragraph. The deformable means 30 disclosed by Wu '449 located between the end of the mounting arm and rotating member is identical to Applicants' disclosed deformable means 130. The recitation in claim 7, line 2 of "spring means for locking the second end of the mounting arm to the rotating member" invokes 35 USC 112, sixth paragraph. The spring means 50/70 disclosed by Wu '449 performs the identical function of locking the end of the mounting arm to the rotating member, no explicit definition in Applicants' specification excludes the spring means 50/70 of Wu '449 as an equivalent, and the spring means 50/70 of Wu '449 performs the same function in substantially the same way and produces the same result. Therefore, the spring means 50/70 of Wu '449 is considered to be an equivalent to Applicants' disclosed spring means 140. Concerning claims 20-25 and 27. Wu discloses a method of attaching detachable blade arm 40 to the ceiling fan motor 20, comprising positioning an end of a blade arm 40 about fastening means 24 on the ceiling fan motor housing, sliding the blade arm away from the ceiling fan motor, and locking the blade arm to the ceiling fan motor, with the positioning step including positioning protruding means 30 into slot 43, and with the step of sliding including sliding the protruding means, with the step of locking including locking the blade arm to the ceiling fan motor by centrifugal force (the centrifugal force generated by rotation of the ceiling fan motor will bias the blade arms 40 radially outwardly, thereby inherently additionally locking the blade arm by centrifugal force). with the step of positioning including the step of positioning an end of the blade underneath the

ceiling fan motor housing (see column 2, lines 61-67 and column 3, lines 1-13). Element 30 is considered to be an enlarged headed fastener. The element 30 provides vibration isolation between the arm and the ceiling fan motor. Concerning claims 28-30, Wu discloses means 30/43 for fastening the inner end of a blade arm 40 to the rotatable portion 22 of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 32 in a slot 43. The recitation in claim 28, lines 5-6 of "means for fastening the inner end of the fan blade arm to the rotatable portion of the fan housing by pulling the blade arm away from the motor housing" and the recitation in claim 29, lines 1-2 of the fastening means including protruding means in a slot invokes 35 USC 112, sixth paragraph. The means 30/43 for fastening the inner end of a blade arm 40 to the rotatable portion 22 of the fan housing by pulling the blade arm away from the motor housing, with the fastening means including a protruding means 32 in a slot 43, disclosed by Wu performs the Applicants' same function of locking the end of the mounting arm to the rotating member and produces substantially the same result disclosed by Applicants, no explicit definition in Applicants' specification excludes the means 30/43 of Wu as an equivalent, and the means 30/43 of Wu performs the same function in substantially the same way and produces the same result. Therefore, the means 30/43 of Wu is considered to be an equivalent to Applicants' disclosed means 26, 28, 120, 130. The protruding means 30 is broadly in the form of an enlarged head fastener.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (703)-308-2638. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (703) 308-1044. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.

C.V. July 25, 2003 Christopher Verdier Primary Examiner Art Unit 3745